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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/772,711	02/05/2004	Richard M. Davies	7921.1	5624
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EXAMINER				
DANNEMAN, PAUL				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/772,711

**Applicant(s)**

DAVIES, RICHARD M.

**Examiner**

PAUL DANNEMAN

**Art Unit**

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 30,31,33-43 and 45-85 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 30,31,33-43 and 45-85 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 April 2009 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

#### DETAILED ACTION

##### *Drawings*

1. The drawings were received on 1 April 2009. These drawings are acceptable.

##### Response to Amendment

2. Claims 32 and 44 have been cancelled.
3. Claims 55-85 are newly added claims.
4. Pending Claims 30-31, 33-43, 45-85 have been examined in this action.

##### Response to Arguments

5. New corrected drawing have been accepted, therefore the Examiner respectfully withdraws the objection to the drawings.
6. Applicant argues that ***"Wren and Heusinkveld fail to teach or suggest a service center for offering services on moveable serviceable items as recited in Claims 30 and 41."*** Respectfully the Examiner must disagree. Wren in Column 4, lines 23-31 discloses an invention for facilitating transaction utilizing central and remote facilities or locations, for instance, car, truck, boat and motorcycle dealerships, department stores, public locations such as shopping malls, auction houses, airports, grocery stores, and real estate offices.
7. Applicant argues regarding the ***"valet service"*** that ***"Wren teaches against any personnel at the remote facility taking custody of anything from a customer."*** Respectfully the Examiner must disagree as Applicant's claim language teaches a valet taking the customer's vehicle from a retail facility to a remote service facility. Applicant in his specification in paragraph [0058] discloses that the offering of valet service is already being provided at some malls.
8. Applicant's arguments with respect to claims 30 and 41 have been considered but are moot in view of the new ground(s) of rejection.

***Claim Rejections - 35 USC § 103***

9. **Claims 30-31, 33-43 and 45-85** are rejected under 35 U.S.C. 103(a) as being unpatentable over Wren, US 6,055,514 and further in view of Heusinkveld, US 2004/0218089 A1 and further in view of Schuette, US 5,710,557 and further in view of Osterman, US 4,188,985.

**Claims 30-31, 84, 41-43, 85, 55-60 and 69-74:**

With regard to the limitation:

- ***A retail facility for providing services on moveable serviceable items at an alternate location;***
- ***A valet for receiving custody of the moveable serviceable items from a customer;***
- ***A valet delivering the moveable serviceable items to a remote service facility;***
- ***The remote service facility is suitable for providing short turnaround services;***
- ***A vehicle may be dropped-off and picked up from an alternate site;***
- ***Imaging facilities at service facility for periodic imaging of the movable serviceable items on a near real-time basis;***
- ***Transmitting the images from remote service facility to a display;***
- ***Displays at retail facility for displaying images from remote service facility.***

Wren in at least Column 1, lines 23-32, Column 4, lines 43-67, Column 11, lines 31-45 and Fig.1 discloses a system for marketing goods and services. The system includes a customer computerized communications facility, for facilitating transactions between a central facility and remote facilities. Wren in Column 4, lines 23-31 discloses an invention for facilitating transaction utilizing central and remote facilities or locations, for instance, car, truck, boat and motorcycle dealerships, department stores, public locations such as shopping malls, auction houses, airports, grocery stores, and real estate offices. Wren in at least Column 12, lines 4-13 further discloses an array of electronic communication devices and computing equipment with displays for communicating between the central facility and the remote facilities. Wren further discloses

that the communication devices are comprised of components for conveying sounds and images on a near real-time basis.

Wren does not specifically addressing a valet or valet service, however Schuette in at least Fig.4, Fig.12, Fig.13, Column 2, lines 41-51, Column 3, lines 24-31, lines 50-55, lines 60-65, Column 5, lines 1-5 and Column 7, lines 20-26 discloses personalized valet service which allows the customer to remain within a building (shopping mall, restaurant, etc.) while additional services (car washes, oil changes, and other service-related items) are performed on their movable serviceable items (automobiles, etc.). Schuette in at least Column 6, lines 31-36 and Column 8, lines 1-9 discloses a customer dropping off their vehicle at one site and retrieving it from another site. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to combine the well know features of Wren regarding providing remote services and Schuette well known features for providing valet service which offers additional automotive services with the motivation of allowing a busy customer to shop/dine, etc. while their vehicle is being serviced.

**Claim 34-36, 47-49, 62-64 and 76-78:**

With regard to the limitation:

- ***Generating a signal notifying a customer that services have been performed.***
- ***A means for transmitting the periodic images from the remote service center to a display at the retail facility for display on a customer display.***

Wren does not specifically disclose notifying a customer when services have been performed. However, Wren in a at least Column 1, lines 25-32 discloses that the electronic communications devices and computing equipment are used for transmitting between the central and remote facility, voice, music, audio, data, images, video, and optic information on goods and services, and/or signals. Heusinkveld in at least Fig.2 and paragraphs [0011, 0012 and 0015] discloses an example of a mechanic communicating with a remote user by calling the user to discuss a repair situation on the automobile and transmitting images to the user. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to modify Wren's interactive system

with a remote customer with Heusinkveld's system for contacting and informing a customer of service being performed on an automobile and further modify Wren/Heusinkveld with a signal notifying a customer that services have been performed, with the motivation of keeping the customer informed and initiating the payment for services rendered process.

**Claims 37-40, 50-54, 65-68 and 79-83:**

With regard to the limitations:

- ***Customer display is selected from the group consisting of a personal digital assistant, personal computer, or a cellular phone.***

Wren in at least Fig.1 and Column 12, lines 4-13 discloses that the customer display is a personal computer with monitor and in Column 12, lines 56-60 further discloses that the respective electronics communication equipment at the respective facilities are conventional off-the-shelf items.

- ***Transmitting the images upon electronic demand from a customer.***

Wren in at least Column 13, lines 1-8 discloses sizing the communications network to meet customer demand for information. Wren in at least Column 13, lines 13-31 and lines 32-49 further discloses a customer request for information and data, audio, and/or visual information being sent to the customer.

- ***Transmitting the images upon initiation from said retail facility.***

Wren in at least Column 13, lines 50-59 discloses a customer receiving information from a remote or central facility.

- ***Associating the images from said remote service facility with a designated customer and limited to the customer's serviceable item.***

Wren in at least Column 15, lines 49-60 discloses a customer using a credit card or other ID to gain access to the terminal. Heusinkveld in at least FIG.2 and paragraph [0014] discloses a monitor station at an auto shop, where a mechanic may initiate communications with a remote user by calling the user's telephone to discuss a repair situation. The mechanic preferably could

give the remote user a uniform resource location (URL) address for accessing the images captured by the camera. Also disclosed is the optional use of a password by the customer. Heusinkveld in at least paragraph [0020] discloses the use of personal data assistant (PDA) and other types of monitors. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to combine the old and well know features of Wren for controlling access to a customer terminal with Heusinkveld's use of various portable devices for providing a link with the customer, to insure that only valid customers can view and exchange data with the motivation of providing a secure and portable communications system.

**Claim 33, 45-46, 61 and 75:**

With regard to the limitation:

- ***Wherein the remote service facility is underground (partially or fully).***

Wren does not specifically disclose that the remote service facility is underground per se. However, Osterman in at least Fig.1 and Column 1, lines 24-37 discloses a motor vehicle service structure having upper and lower work surfaces surrounded by walls. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to combine the well known elements of Wren's regarding central and remote facilities, with the well known elements of Osterman's remote service facility which is partially or fully underground, with the motivation of providing customers with a location or customer lounge located remotely from the noise and smell of the service facility.

**Conclusion**

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date

of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/

Examiner, Art Unit 3627

20 June 2009

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627